

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DV DIAMOND CLUB OF FLINT, LLC
d/b/a Little Darlings, *et al.*

Plaintiffs,

v.

**UNITED STATES SMALL BUSINESS
ADMINISTRATION, *et al.***

Defendants.

Case No. 4:20-cv-10899
Hon. Matthew F. Leitman
Hon. David R. Grand
by referral

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PLAINTIFFS' NOTICE OF FILING
Re: POTENTIAL DISCOVERY DISPUTE

NOW COME all Plaintiffs, by and through their undersigned counsel of record, and hereby give notice as follows:

1. This Court's Order Setting Briefing Schedule [ECF No. 18, PgID.638] provided that the Small Business Administration was to be prepared to make a representative available to testify within 48 hours of the hearing on Plaintiffs' Motion for a Temporary Restraining Order or Preliminary Injunction [ECF No. 12], which is presently set for 9:30 AM on April 30, 2020.

2. On April 23, 2020, Plaintiffs served all Defendants with their Notice of Deposition of Representative of the United States Small Business Administration Pursuant to Fed. R. Civ. P. 30(b)(6), with a courtesy copy by email. The purpose of the notice was to provide the Defendant SBA with as much time as possible to prepare a representative for deposition, should a deposition prove necessary. A true and accurate copy of said notice is attached hereto as **Exhibit A**.

3. On April 29, 2020, at approximately 8:40 PM Eastern Time, counsel for the Defendant Small Business Administration provided a letter regarding the deposition notice, which contains objections to the topics set forth for deposition in the notice. A true and accurate copy of said letter is attached hereto as **Exhibit B**.

4. Plaintiffs thank the SBA for providing this letter in advance of the hearing, but regard the objections set forth therein as improper. Plaintiffs now place

the deposition notice and objections before the court so that, in the event the Rule 30(b)(6) deposition is to proceed, the Court can rule upon any objections the SBA sees fit to maintain and to avoid any delay the objections may present.

5. This notice is not intended to serve as a full response to the issues raised in the SBA's letter. Plaintiffs are simply placing the documents before the Court to aid the Court and parties in resolving the objections should that prove necessary.

Respectfully submitted,

Dated: April 29, 2020

/s/ Matthew J. Hoffer
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CERTIFICATE OF SERVICE

I certify that on April 29, 2020, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record.

/s/ Matthew J. Hoffer

Matthew J. Hoffer (MI P70495)

SHAFFER & ASSOCIATES, P.C.